REMARKS

Applicants respectfully request that the above-identified application be re-examined.

The July 15, 2003, final Office Action ("Office Action") in the above-identified application rejected all of the claims remaining in this application (1-9, 11-12, 14-32, 34-35, and 37-44) under 35 U.S.C. § 103(a) as being unpatentable in view of the teachings of U.S. Patent No. 5,493,677 (Balogh et al.) taken in view of the teachings of U.S. Patent No. 5,696,964 (Cox et al.). While applicants believe that all of these claims are allowable for the reasons set forth in applicants' September 15, 2003, response to the final Office Action, in order to advance the prosecution of this application, all of the independent claims have been amended so as to more particularly point out and distinctly claim the subject matter applicants regard as their invention. In addition, amendments have been made to selected ones of the dependent claims in order to make claim language consistent.

Prior to discussing in detail why applicants believe that all the claims remaining in this application, as amended, are allowable, a brief description of applicants' invention and a brief description of the cited and applied references are provided. The following discussions of applicants' invention and the cited and applied references are not provided to define the scope or interpretation of any of the claims of this application. Instead, these discussions are provided to help the United States Patent and Trademark Office better appreciate important claim distinctions discussed thereafter.

The Invention

This invention is directed to a method, apparatus, and computer-readable medium for searching media clip databases associated with a media application program wherein the media clip database includes find similar clips indicia and keywords. The find similar clips indicia include hidden criteria that identifies and/or groups media clips **based on human judgment** regarding the content of the media clips, such as artistic style, color, or shape. The find similar clips indicia and the keywords describe associated media clips stored in the media clip database.

The invention provides a method that generally comprises, in response to a user selecting a media clip, retrieving information, including find similar clips indicia and keywords, associated with the selected media clip from the media clip database. This form of the method further comprises simultaneously presenting to the user for selection by the user (i) the keywords associated with the selected media clip and (ii) the find similar clips indicia associated with the selected media clip. As noted above, the find similar clips indicia includes hidden criteria that identifies and/or groups media clips **based on human judgment** regarding the content of the

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media clips. The method also comprises, in response to the user creating search criteria by selecting one or more of the keywords associated with the selected media clip and/or the find similar clips indicia associated with the selected media clip, retrieving all media clips in the media clip database that match the search criteria created by the user.

The invention also provides a user interface for a visual thesaurus for a media clip database associated with a multimedia application program. The media clip database contains information, including find similar clips indicia and keywords, associated with the media clips included in the media clip database. The find similar clips indicia includes hidden criteria that identifies and/or groups media clips **based on human judgment** regarding the content of the media clips. Directly in response to the user selecting a media clip from the media clip database, the method provides for displaying to the user an option for finding similar media clips that have an associated find similar clips indicia and/or a keyword that matches the find similar clips indicia human judgment and/or a keyword associated with the selected clip.

The invention also provides a computer-readable medium having computer-executable instructions for performing the foregoing methods.

The invention further provides an apparatus for searching a plurality of media clips comprising a processing unit and a storage medium coupled to the processing unit. The storage medium stores program code implemented by the processing unit for (i) providing an interface for a user to select a media clip from a media clip database associated with a multimedia application program, wherein the media clip database contains information, including find similar clips indicia and keywords associated with media clips in the media clip database, the find similar clips indicia including hidden criteria that identifies and/or groups media clips **based on human judgment** regarding the content of the media clips; (ii) providing an interface for the user to select search criteria based on find similar clips indicia and/or a keyword associated with the selected media clips; and (iii) in response to the user selecting a media clip and the search criteria, retrieving all media clips in the media clip database that have associated find similar clips indicia and/or a keyword that matches the selected search criteria for the selected media clip.

The invention also provides an apparatus for providing a user interface for a visual thesaurus for a media clip database associated with a multimedia application program wherein the media clip database contains information, including find similar clips indicia and keywords associated with media clips in the media clip database. The find similar clips indicia includes hidden criteria that identifies and/or groups media clips **based on human judgment** regarding the content of the media clips. The apparatus comprises a processing unit and a storage medium

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS^PLLC
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

coupled to the processing unit. The storage medium stores program code implemented by the processing unit for displaying to a user an option for finding similar media clips that have associated find similar clips indicia hidden criteria and/or a keyword that matches an associated keyword for a selected media clip directly in response to the user selecting the media clip.

In summary, the method, apparatus, and computer-readable medium incorporating the invention employ two techniques that can be used separately or together to select media clips from a media clip database--keywords associated with a media clip being viewed and/or a find similar clips indicia that includes hidden criteria, i.e., criteria not observable by a user and not changeable by a user, that identifies and/or groups media clips **based on human judgment** regarding the content of the media clips. As noted above, examples of find similar clips indicia having hidden criteria are artistic style, color, and shape. These find similar clips indicia have hidden criteria that, as noted above, cannot be modified by a user.

United States Patent No. 5,493,677 (Balogh et al.)

Balogh et al. generally discloses retrieving images using a natural language interface. Digitized images are associated with English language captions and other data, collectively known as the metadata associated with the images. A natural language processing database removes ambiguities from the metadata, and the images in the metadata are stored in databases. A user forms a search query, and natural language processing is used to determine matches between the query and the stored metadata. Images corresponding to the matches are then viewed, and desired images are selected for licensing. The license terms for selected images are displayed and a subset of the selected images is ordered as desired by the user.

In summary, Balogh et al. discloses retrieving images using a natural language interface and English language metadata associated with the image. **Balogh et al. fails to teach or suggest a find similar clips indicia including hidden criteria that identifies and/or groups media clips based on human judgment regarding the content of the media clips, such as artistic style criteria, color criteria, or shape criteria.** Further, Balogh et al. fails to teach or suggest causing the retrieval of keywords associated with a selected media image from a media clip database. Balogh et al. also fails to teach or suggest presenting the retrieved keywords. Balogh et al. additionally fails to teach or suggest enabling a user to select search criteria based on the keywords associated with a selected media clip to retrieve all media clips in a media clip database that have matching keywords. While Balogh et al. purportedly teaches that information inquiries are processed as in conventional keyword searching techniques (Col. 12, lines 9-11), Balogh et al. does not disclose displaying keywords associated with a selected multimedia clip for selection by a user for subsequent searching.

While, for the reasons set forth in applicants' response to the Office Action, applicants respectfully disagree with the Office Action's discussion of the teachings of Balogh et al., applicants agree with the Office Action's recognition that Balogh et al. does not disclose anything whatsoever remotely related to displaying or providing a find similar clips indicia having hidden criteria such as, for example, artistic style criteria, color criteria, and shape criteria. As noted above, hidden criteria are criteria that are not changeable by a user. Further, hidden criteria are not displayed to a user. Only the broad indicia--artistic style, color, or shape--are displayed.

United States Patent No. 5,696,964 (Cox et al.)

Cox et al. is generally directed toward a multimedia database retrieval system that maintains a "posterior probability distribution" that each item in the database is the target of a search. Cox et al. discloses a queryless multimedia database search method, which incorporates a Bayesian interface engine that refines its answer with each user response. The set of user responses includes a series of displays and user actions, and is defined by a relatively simple user interface. The system maintains a posterior probability distribution that each image in a multimedia database is the target of the search. This distribution is used to select the next images to display to the user and solicits selections from the user pertaining to images displayed. The user's selections are then incorporated into the posterior distribution via a probabilistic user model.

In summary, Cox et al. discloses a queryless multimedia database retrieval method and system that maintain a posterior probability distribution for use in selecting the next images to display to the user. Cox et al. discloses an entirely software driven selection system. **No human judgment is involved in the criteria used to identify clips based on user selection. Cox et al. does not disclose** searching a media clip database that contains information describing each associated media clip in the media clip database in the form of keywords and **find similar clips indicia including hidden criteria that identifies and/or groups media clips based on human judgment regarding the content of the media clips**.
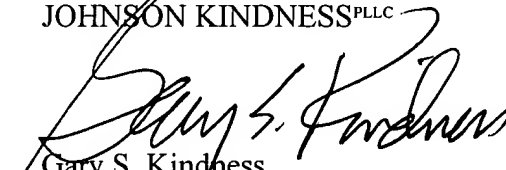
Reasons Why Claims are Allowable

All of the independent claims in this application (1, 16, 24, and 38) have been amended to recite that the find similar clips indicia includes hidden criteria that identifies and/or groups media clips **based on human judgment** regarding the content of the media clips. As noted above, this subject matter is not taught or even remotely suggested by either of the references cited and applied in the final Office Action--Balogh et al. and Cox et al. As a result, applicants

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS^PLLC
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

respectfully submit that all of the independent claims, and therefore the claims dependent therefrom, remaining in this application are clearly allowable. Consequently, early and favorable action allowing these claims and passing this application to issue is respectfully solicited.
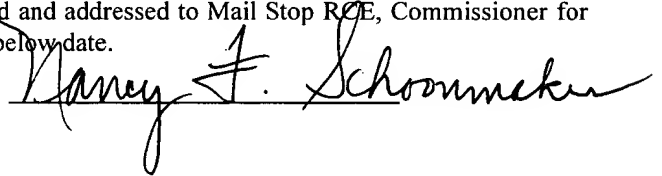
Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}

Gary S. Kindness
Registration No. 22,178
Direct Dial No. 206.695.1702

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date: ___11/12/03___

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